



## Infrastructure charges incentives

# Application Form

Council is offering infrastructure charges incentives to encourage increased development activity and job creation to assist with the economic recovery from the Covid-19 pandemic.

To see if your development is eligible for infrastructure charges incentives, please refer to Attachment A.

**To apply, please complete this form and return to Council prior to 1 July 2021.**

Please email directly to [development@bundaberg.qld.gov.au](mailto:development@bundaberg.qld.gov.au)

### Developers details

Name/s (individual or company name in full)			
Contact name			
Postal address			
	Suburb	State	Postcode
Phone	Mobile		
Email address			

### Owner details

Name/s (individual or company name in full)			
Postal address			
	Suburb	State	Postcode
Phone	Mobile		

### Description of land

Property address			
Property description	Lot		Plan type and No.
	Lot		Plan type and No.
	Lot		Plan type and No.

### Declaration

In lodging this request for an infrastructure charge discount I/We \_\_\_\_\_ declare that the owners of the property have consented to enter into an infrastructure agreement subject to the terms of the Rules and Regulations of the Building Bundaberg 2020 initiative.

Signature/s: \_\_\_\_\_ Date \_\_\_\_\_



## Application details

Which of the following categories of incentivised development are you applying for *(please see definitions)*:

- ☐ Rural sector development
- ☐ CBD/town centre development
- ☐ Other eligible development

NOTE: if the proposed development does not fit within a category listed, the development may not be eligible for this program but may be eligible for other incentives offered by Council. Please contact Council's Development Assessment team on 1300 883 699 for further information about how we can assist with your development. Please see definitions in attachment B for assistance in determining what category your development may fit within.

## Details of the development permit or compliance permit

Application No:

Type of approval:

Date approval took effect:

## Have the adopted infrastructure changes or infrastructure contribution/s been paid?

- ☐ Yes ☐ No

## Proposal details

What is the proposed value of works for the development? \$

What is the anticipated number of jobs to be created by this development? *(if known/applicable)*

If the development is for residential development please provide the following:

Number of dwelling units:

Number of lots:

If the development is for commercial or industrial uses please provide the following:

Gross floor area (GFA)

## Staged development

Is the development a staged development?

- ☐ Yes ☐ No

Is it proposed that a discount apply to certain stages of the development and not the whole of the development?

- ☐ Yes ☐ No

*Note: if development is to be staged, the application needs to be accompanied by a staging plan.*

If it is proposed that a discount apply to certain stages of the development, provide details of:

- the total number of stages in the development and the site area of the total development.
- the stages to which a discount is sought to be applied.



## Attachment A: Rules and procedures

### 1. Background

On 30 June 2020 Council launched the "Building Bundaberg Region 2020" incentives scheme with the objective of stimulating increased development activity to counter the economic impacts caused by the Covid-19 pandemic. As part of this initiative, Council is offering a range of discounts for infrastructure charges on certain developments.

Council has resolved to develop these rules and procedures to guide its decision-making in assessing applications for the infrastructure charges incentives.

Building Bundaberg Region 2020 will commence on 1 July 2020 and applies to eligible development. A development that has been completed prior 1 July 2020 is not eligible for the infrastructure charges incentives.

### 2. Eligibility for infrastructure charges incentives

2.1 A development approval exists for the development.

2.2 The Council has either:

- issued a charges notice in relation to the development approval; or
- imposed an infrastructure contribution condition in the development approval;

AND The development is not subject to an existing infrastructure agreement that varies the amount of infrastructure charges payable (except where the infrastructure agreement relates to an extension of the relevant period for the development approval or a recalculation of the charges under a new charges resolution).

2.3 The development is for rural sector, CBD/town centre or other eligible development as defined in attachment B.

2.4 The development was not completed before 1 July 2020. For staged development, the stage being applied for was not completed before 1 July 2020.

2.5 The development is not eligible for a refund for the provision of trunk infrastructure pursuant to s129 of the *Planning Act 2016* (PA) (or equivalent section in any subsequent legislation). If through a conversion application (s139 PA) or a recalculation of the establishment cost of trunk infrastructure (s137 PA) a development that at the time an application under this policy was made was not subject to a refund becomes subject to a refund, then the development will no longer be eligible for a discount under this incentives scheme.

2.6 Development that does not meet the above criteria is not eligible for the infrastructure charges incentives.

### 3. Rules

3.1 Developments seeking to take advantage of the infrastructure charges incentives must make application to Council for a discount using the approved form. Applications for the infrastructure charges incentives can be made at any time prior to 1 July 2021.

3.2 Only one infrastructure charges incentives offer can apply to a development.

3.3 The infrastructure charges incentives will not apply to:

- any development that has been completed on or before 1 July 2020.

3.4 Discounts for the infrastructure charge are as follows:

- 100% discount for development that is completed before 1 July 2021 which is for:
  - (a) CBD/town centre development;
  - (b) Rural sector development where:
    - (i) Intensive horticulture;
    - (ii) Rural industry;
    - (iii) Intensive animal industry
    - (iv) Aquaculture; or
    - (v) Winery (where located in a rural zone);
- 50% discount for all other eligible development that is completed before 1 July 2021.

The above discounts are taken to be discounts off the applicable infrastructure charges specified in a charges notice or conditioned in a development approval (as varied by any infrastructure agreement relating to an extension of the relevant period of the development approval, where one exists). To be clear, no other discounts either under an adopted infrastructure charges resolution or other policy will apply.

3.6 The maximum discount under the incentives scheme is no more than \$1 million for an eligible development.

3.7 Council may, in its absolute discretion, extend the date for any of the above discounts for a particular development where:

- The applicant can show sufficient reason why the development cannot be completed by the original completion date; and
- The development has achieved substantial commencement prior to the original completion date.

3.8 Applications to extend the date by which development is to be completed for any particular discount must be made in writing and received prior to expiry of the completion date. Any extension to the date by which development is to be completed is at Council's absolute discretion.



3.9 Compliance with the completion date for receiving the incentive reduction in infrastructure charges is only achieved through full compliance with the following:

- For developments involving material change of use and building works, the issue of a certificate of classification for building works and/or issue of final inspection certificate by the completion date; or
- For developments involving material change of use and no building works, the approved use is established by the Completion Date;

3.10 In all cases, Council must be satisfied that all applicable conditions of the development approval for the development completed have been satisfactorily complied with.

3.11 The discount will be applied at the time of payment of the infrastructure charges, but no discount is applicable if Infrastructure Charges are not paid when due.

3.12 Nothing stops development from making early payment of infrastructure charges payable after approval for discount has been given under this policy. However, early payment does not guarantee eligibility for any discount. Development must comply with the terms of the executed infrastructure agreement to secure approved discounts.

3.13 The discount applies to gross charges before credits and offsets for the provision of trunk infrastructure have been deducted. To be clear, no discount given under this policy can result in a development receiving a refund.

#### 4. Process

4.1 Applicants must lodge the application form prior to 1 July 2021.

4.2 Within five (5) business days of Council receiving the request, applicants will be notified by Council via email about whether the development is eligible for the incentive scheme applied for and details of any approved reduction in infrastructure charges subject to the incentive requirements being met and if so;

(a) An infrastructure agreement will be issued identifying the discount available and must be signed by the applicant to acknowledge all terms applying to the incentive offer approved for the development;

(b) For the discounts to apply, the applicant must execute and return the infrastructure agreement to Council prior to the time for payment of the Infrastructure charges.





# Attachment B: Definitions

The below are the definitions for the Building Bundaberg Region 2020 incentives scheme. If a word is not defined in this document, unless the context or subject matter otherwise indicates or requires, the word is to have a meaning given to it by the following:

- (a) the Planning Act;
- (b) the Bundaberg Regional Council Planning Scheme 2015 if the word is not defined in the Planning Act;
- (c) the Macquarie Dictionary if the word is not defined in the Planning Act or the Bundaberg Regional Council Planning Scheme 2015.

Where a development approval has been given under one of the four superseded planning schemes for the Bundaberg Region, the development's eligibility will be determined by applying the definition from the Bundaberg Regional Council Planning Scheme 2015 that best fits the approved development.

## Definition

### Adopted infrastructure charges resolution

Means Adopted Infrastructure Charges Resolution (No.1) 2012, Adopted Infrastructure Charges Resolution (No.1) 2013, Adopted Infrastructure Charges Resolution (No.1) 2014, Adopted Infrastructure Charges Resolution (No.1) 2015 or Charges Resolution (No. 1) 2018 or any subsequent charges resolution.

### Applicant

Means the applicant for the infrastructure charges incentives under this policy.

### CBD/town centre development

Means development located within the Bundaberg CBD, Childers Town Centre, Gin Gin Town Centre, Burnett Heads Town Centre, Bargara Tourism Precinct, Moore Park Beach Tourism Precinct or Woodgate Tourism Precinct as delineated in the Building Bundaberg 2020 maps (shown on Council's website at [bundaberg.qld.gov.au/development/bbr2020](http://bundaberg.qld.gov.au/development/bbr2020)) for any one or combination of the following purposes defined under the Bundaberg Regional Council Planning Scheme 2015 subject to any limitation in brackets:

- Bar
- Dual occupancy (where part of a mixed use building)
- Dwelling unit (where part of a mixed use building)
- Educational establishment;
- Entertainment activities;
- Food and drink outlet;
- Multiple dwelling;
- Offices;
- Shop;
- Shopping centre;
- Short-term accommodation; and
- Showroom

### Charges notice

Means:

- an infrastructure charges notice as defined in section 119 of the *Planning Act 2016* (PA); or
- a notice mentioned in section 301(1) of PA; or
- a notice equivalent to an infrastructure charges notice which is given under legislation which repeals and replaces PA.

### Completed

Means for a material change of use:

- Where involving building works, a certificate of classification or the final inspection certificate (for a single detached class 1a building or structure) has been issued; or

- Where not involving building works, the approved use has been established.

Means for building work:

- A certificate of classification or the final inspection certificate (for a single detached class 1a building or structure) has been issued

### Completion date

Means:

- Twelve months from the date of the email notice mentioned in section 4.2 of attachment A; or
- such date as extended by the Council pursuant to section 3.7 of attachment A.

### Development approval

A development permit for a material change of use or a development permit or compliance permit for reconfiguring a lot or a development permit for building work (where the material change of use is accepted development) that has not lapsed.

### Eligible development

Means proposed development that satisfies the requirements of section 2 of attachment A.

### Entertainment activities

Means any of the following:

- Club;
- Function facility;
- Hotel;
- Nightclub entertainment facility;
- Theatre;
- Tourist attraction.

### Infrastructure charges

Means infrastructure charges or contributions for trunk infrastructure payable pursuant to a charges notice or a contribution condition in a development approval.

### Other eligible development

Means development for any material change of use or building works for which a charges notice has been issued.

### Planning Act

Means the *Planning Act 2016* or subsequent legislation which repeals and replaces that act.

### Rural sector development

Means development for any one or combination of the following purposes defined under the Bundaberg Regional Council Planning Scheme 2015 subject to any limitation in brackets:

- Intensive horticulture;
- Rural industry;
- Aquaculture;
- Winery (where located in a Rural zone);
- Intensive animal husbandry;
- Short-term accommodation (for the purpose of accommodating backpackers and/or itinerant farm workers);
- Non-resident workforce accommodation (for the purpose of accommodating backpackers and/or itinerant farm workers); or
- Rural workers accommodation.

### Substantial Commencement

Means the commencement of the construction of either slab or footings (whichever is required for the development) proportionate to the size of the development proposed.

Preliminary site works including tree clearing or bulk earth works are not considered to be substantial commencement for these purposes.